App F IX 4

Previous References P:9107 (19 4 8 4 9 MH)

File No 107-48

Serial Nos 5354

Later References
11 14 17 9 CR 59

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two.

Part B for Dec 1949.

SUBJECT

Construction of a mosque in S No 5 in Bhogenahalli village Bilva

To the amount of Rs 5586 by 10/12/49.

30/4/51

Letter no AG Bl. 98/43 dt 15-2-45 from the
Rnl Commr, Bcliff requesting instructions
in regard to the grant of a license to
one Mr Mo A. Mehkri, Secy of the Mosque
Committee to construct a mosque on
S no 5, Bhogarhalli, Blore North Taluk
Cri the permission granted by the Dmysor
Commr in the year 1942, the Secy of the mosque
Committee has applied to the Bcliff mcpl to
the grant of a license for the construction
of a mosque. It is reported by the Rnl Commr
that the Govt Architect who was
consulted in the matter is not in favour
of granting a license for the reasons stated
in his letter dt 16-1-45

2 The Rnl Commr solicits orders in
regard to the grant of the license applied for
Sd/- for orders

24/2 3 The records show that
in January 1942, the then Dmysor
Commissioner has granted permission to
Mr M a Member Secretary of the
Mosque Committee, to construct a
mosque on a portion of S. no

5 of Rhosgenabella village, Blue
Rock Island this made subject to
the Condition of leaving a road twenty
feet from the centre of the Mosque Square road
His land is within the limits of the Mosque
city itself hence the secretary applied to
the Municipal Commissioner for the grant of license
to construct a mosque on the said land. with the
necessary plans Whereupon the Govt
Architect was consulted He has expressed
the opinion that the land in question does not lend
itself for the erection of the mosque, as it is
surrounded on all sides by streets Instructions
of the Govt are now solicited as to the grant
of the said application

3 It will be seen from the papers that a Mosque
is proposed to be built at an Estimated cost
of Rs 16,000/, according to the plans produced
being in the possession of the Muslims
Dive Maidan Square road The Land by
been given for the purpose of building a
Mosque for the Mussalmans who must
necessary permission to build a Pucca Mosque
thereon Mughal Architect prefers that
another suitable site on a gently elevated
ground might be selected for the purpose of the
Mosque kept open for two days

Continuation Sheet | File No / Current No 5517 | 2 of | Page

of a park the Mil Govt has not taken over a site of the description given by the Govt Inspector if the water supply could be made available for the neighbourhood of the site an application which a suspect could be filed with convenience to those who resort at for prayers. It may be respectfully submitted that the matter would be decided early by a short speech

Lawyer for 24/7/45.

4) ask the Municipal Court if any suitable land as is suggested by the G S O as would be acceptable for the Museum is available in the Locality

27-2-45

for 27/7/45

5) Draft with a draft letter for approval

6) Submitted 28/7

To the Mil Govt, Brig thro POL
No L88850 Dy 7-3-45
Calls for some information

WD 0726—GPB—25 000—10 9 44

C 1 69]

Cont nuation Sheet

File No 2555/2
Current No

B.66 Meetings
of 2 Nos
Page

From the Municipal Comm. Pollachi
A6 Dis-L-93/43 dated 27-9-46
States that there is no suitable
Municipal land anywhere in the locality for
the Construction of a Mosque and
Suggests that the party may be directed
to select some suitable Revenue land
towards the South of the present site
A sample letter Called for the
enclosure is sent up

By Issue
by/Dpt

To
The M.C. Comm. Pollachi
Lr. dated 10-10-46
calls for records
the Municipal Comm. Pollachi
A6-Dis-L-98/43 dt 12-11-46 — See Note
Refers his file re construction of
a Mosque in S. No 5 of Dhozanathalli Village

It is seen from the records that
an endorsement has already been
issued on 30-10-46 by the Municipal Engineer to the
M A Meethri, rejecting his request for
the grant of a licence to Construct
Mosque in S. No 5 of Dhozanathalli and
the party was also asked to select
some other site for the purpose

2555

2364

10) No further endorsement from this office to Dr Reicher, to the above effect appears necessary, as the Deputy has not addressed any application to Govt

11) Refer Para 4 Supra

The 2B/4 may be seen

to see the enclosure sheet of put up below

21/11/46

13) Draft is/may

need not be seen

view of the letter received from

25/11/46

It is seen from the petition addressed by the Adiaranatakas living in Doddapalya to the Minister for Education and Public Health that a mosque is being built in that place and that it should be prevented A phone message of the orders passed by the Minister was sent to the Municipal Commissioner to the effect that he should visit the spot immediately and prevent any such building from coming up The Municipal Commissioner who visited the spot intimated over the phone that a foundation stone has been laid on the spot referred to in the petition- which is said to be identical to the one referred to in this file and that attempts are being made to dig the foundation and that he has stopped further construction being proceeded with The receipt of the written report on the subject of the petition- (duplicate) a copy of which has been sent to him is awaited.

continued

The facts of the case in this file have been narrated in paras 3,4 and 5 of the notes supra

The Muzrai Commissioner has granted permission to one Mr Mekhri in his order dated 26th Jan 1942 to construct a mosque on a portion of S No 3 of Bhogenhalli village, subject to the condition of leaving a road margin of 75 feet from the centre of the Bangalore-Mysore Road On the application of Mr Mekhri to the Municipality for the grant of a license to construct the Mosque as permitted by the Muzrai Commissioner, the opinion of the Government Architect was called for He was of the opinion that the land in question does not lend itself for the location of an important building like a mosque where many will congregate for prayers, as it is surrounded on all sides by roads At this stage the Municipal Commissioner solicited instructions as to the grant or otherwise of the license applied for The Municipal Commissioner was requested to state whether any other land suitable or acceptable to the Muslims is available for the purpose. The Municipal Commission has reported that there is no suitable municipal lands anywhere in this locality and that the party may be directed to select some suitable Revenue land towards the south of the present site It is seen from the file of records that the Municipal Engineer has in his endorsement No I 820 111 B dated 30-10-45 refused the grant of license on the ground that the site is not suitable for a mosque and that the applicant might select another site for the purpose In view of this no orders of Government are called for

But there is one aspect of the question viz , that the party seems to be attempting to proceed with the construction on the strength and the authority of the permission issued by the Muzrai Commissioner It does not appear as if the Muzrai Commissioner has consulted the Municipal Commissioner before issuing the permission Hence it is necessary that the Muzrai Commissioner should withdraw the permission granted to the party to construct the mosque Further whenever such a mosque or a temple has to be constructed in the Municipal area, the Muzrai Commissioner should invariably consult the Municipa

Serial No

Counsel before granting the permission for constructing any place of public worship within the limits of the cantonment of Bolarum or Begumpet instructions to this effect will have to issue to the Mugram Cantt from the Mugram Branch

No action is called for in the D.O. dy which the M/L Cantt will have to be requested to take effective action to prevent the mosque being built without the municipal license The M/L office file will be returned to the M/L Cantt. as per draft letter put up for orders

accepted by 3/11/46

Minister for Edn (H.H.) 30/10/46

2) 6/12/46 7/12

2) Para 2 of the typed draft is added

2) After issue the file will be sent to the Mugram Branch

3) Action taken & records

7/12 pl return the records 9/11/46 7/11/46

OFFICE OF THE ... FOR EDUCATION & P ... Date 30 U 46 No 3638

TYPING SECTION NOTE—Cooln. Bldg. 1946

File No 364 2 / 40 Pt I of 194

General and Revenue Secretariat

Serial No

To The Municipal Commr, Nilgiri etc
L&S 548 dated 9-12-46
Inspns, their effective action
should be taken to prevent the
Construction of a Mosque in the area
without proper licence etc

2) Resubmitted
9/12 2) Steps for order of the
file mosque Asst to the
Manager Branch for necessary
action as indicated in para 1 & supra

Rec'd Regd 9/12/46

2b Fey Law 18/12

3) Ast favour of necessary action
& send return of the file, with a copy
the communication that may be issued to the Manager Govt
Asst Secy, Land Rev for Secy Govt 18/12/46 18/12

2- BRS
Dt 18-12-46

3870/R

28) Necessary action has been taken in
the Manager Section. A Copy of the Communi-
cation sent to the Mr is placed in the
file Submitted for perusal before returning
BRS 20/2 the file to the L&S Branch
20/2 Dy 20.2.47

Asst Secy (L&S (W)R)

NOR 7916
Mosq 183-46-1
dated 18/2/47

18/2/47

21247

Dy Secy

W D 03814—GPB—15 000—20 7 46

General and Revenue Secretariat | File No 4024 of 194

Serial No	
	Letter no R 7916/Mtz 183-46-1 dated 18-2-47 addressed to the Mutwaran Town directing that the Municipal Council or other Local Body concerned should be consulted before granting permission to construct new places of worship
	29) A draft letter forwarding a copy of the above letter to Mt Town for information
	30) Issue advice to 24/2/47 31 29 reptd
	To the Mt Town Mtn 11746 dt 25-2-47 Refs a copy of the above letter dt 18-2-47 addressed to the Mutwaran Town
	32) Resubmitted
	25/2/47 Petition dated 14-2-47 by certain Harijan residents of Doddapalya bringing to notice of Govt the unauthorised attempt at construction of a mosque opposite to the Amman Temple on the Mysore Road and requesting effective action being taken to check the construction by cancelling the grant
	33) Ministers Minute

Verified J C A

181-

File No 69475 of 194 40 24/1

General and Re[illegible] Secretaria[illegible]

Serial No

34) In this office letter no L 8548 dated 9-12-46 necessary instructions have already been issued to the Municipal Commr to take effective action to prevent the construction of a mosque in this area without a proper license from the city Municipality

Flag 'P'

35) In this office letter no R 7916/Muz 183-46-1 dated 10-2-47 the Muzarai Commissioner has been instructed either to withdraw the permission granted by him in the year 1942 for the construction of a mosque in this area or to make it clear to the parties that they should not proceed with the construction until they get permission from the Bangalore City Municipality

Flag 'Q'

36) A draft forwarding the above petition also to the Municipal Commr Bangalore city for a report in regard to the action taken by him in this behalf is put up for appl

Rem seen 26/2/47

Sd 24/2/47

appl 26/2/47

38) Dr Kernal begin

Muz Edu 27/2/47

Muz Rev

OFFICE OF THE MINISTER FOR EDUCATION & P. H. Date 27-2-47 No 5567

OFFICE OF THE MINIS FOR [illegible] No 7248 Date 3/19

D 0 285—GPH—10 000—8-1-47

6947/L 5883

Issued

Date 10/3/47

TYPE SECTION
11 MAR 1947
SECTN

To Mr. Bar
12-3-47 & 13-3-47
calls for Memo

From the Municipal Commr. to the city
Ref. E 832 dated 16-4-47

States that the construction of mosque on a small plot in front of Azadnagar Cadgaon (on the Ellyse Road) had been stopped as the Municipal authorities considered the site to be totally unfit for the purpose and requests sanction to grant site No 124 (25, 126 & 127 - on J Main Road Azadnagar Extn & cost to Dr construction a mosque

40) etc for consideration of the Minister-in-charge and the Govt Architect may be consulted in the matter
Refer Forms 19 & 20 Instrn

1) The point for consideration is whether the two sites in question are suitable for the construction of a mosque and also must determine from the point of view [illegible] The views of the D.C. [illegible] Govt. Architect may perhaps be obtained on the proposed

[illegible] 1/5/47

4) The D.C Bangalore also may be asked to furnish his views through the Honorary Commissioner After the receipt of the D.C's report the Govt Architect may be consulted

Minister for Edn C & W 3/5

OFFICE OF THE MINISTER FOR EDUCATION C.P. & B.
Date 5-5-47
No 7045

3) The DC & other officers may be asked to go into every aspect of the question and give their considered opinion to enable

15/5/47

[illegible] 16/5

[illegible] 16/5/47

8839/R 5891/R

Submit write a draft letter

TYPING SECTION
13 JUNE 1947
GEN & REV SECTT

Ih
17/5

4(i) [illegible]

[illegible]
9-6-47

To,

The Muzrai Commr
" Dr Bangalore
Govt Architect
16479 d 16-6-47

calls for their considered opinion

from the Govt Architect in Mysore
7449 d 7-8-47

states that the site in S.No. 5 in

Bhogenahalli Village proposed for the construction

of a mosque is suitable provided the halla

in the rear is filled in by the Municipality

TYPING SECTION
18 AUG 1947
GEN & REV SECTT

4(ii) Submit write a draft reminder to the

other officers

Ih
13/8/47

4(ii) [illegible]
14/8/47

To
The Muzrai Commr
" D.C. Mysore
2854 d 20-8-47
Reminds

Sub [illegible]

3225
/11

Continuation Sheet | File No / Current No | of | Page

From the Municipal Town Bareilly City
A T D 32 dated 9-12-47

States that the City Municipal Council has at its meeting held on 26-7-47 decided to acquire Site No 124 measuring 40' x 60' from Mr Mohamed Hyder Sab for utilising the same for the construction of a mosque, and requests Sanction of Government to the proposal to grant the land measuring 80' x 60' by the side of the T cross road in Azadnagar (being the area of Site No 124) to Mr Mohamad Hyder.

It is observed that the Sites to be exchanged are valued at Rs 1600- each

50) The Sketch of the area has not been sent

51) It is not clear why the City Municipal Council should acquire Site No 124 from a private party for the purpose of constructing a mosque and whether there are any special circumstances in favour of the proposal, or whether the Muni council is proposing to ~~provide~~ provide the land at the instance of some organization which will be paying for the land provided

Re 19/12

52) If asked the information and the Sketch will be called for

Put up 19 12 47

53) Yes. DO Please

54) A draft letter calling for the 29/12/47
above information is submitted

22/12 Put up 22 12 47

55) DO sent 29/12/47

TYPING SECTION
23 DEC 1947
REV SECTT

4782 3225 5 45 41

Continuation Sheet RLH File No / Current No of Page

To The Municipal Commissioner Bangalore City
1226 3 dt 3-1-48
Calls for further information

From the Municipal Commissioner Bangalore City
A7-D-A 32 dated 3 2 1948

Furnishes the information called for and requests sanction to the resolution dated 24-3-47 of the City Municipal Council in regard to permitting the trustees of Azadnagar to construct a mosque on Site Nos 124 125 & 126-

(5) 8) The file referred to in para 4 of the Municipal Commissioners letter cannot be obtained from the Revenue Branch

5) 9) Information complied with

13/2/48 13 2 48

New arrangement for [illegible] - 14/2

10) RLH

4) 5) Collection No Miz 183-46-1 re the Construction of a Mosque and S Nos of Bhagenahalli, Bangalore North Taluk is placed below for reference & return

5) Submitted for kind perusal before the file is sent to Municipal Branch

24/2 RLH 25/2

GLH 25/2

Municipal Branch)

WD 06877—GPB—5000—9 8 47

Mr Sudhakar 25/2/48

4541
ml

60) Point for order

J S
U.D) The revised proposal of the Bangalore City Municipal Council to grant the land measuring 80' x 60' by the side of the existing road in Adadnagar (above the area of Site No 124) in exchange of his Site No 124 required for the construction of the mosque by the Mohamadan Hyders

61) Refer paras 15 & 20 Subra ¶ 42 and 43

27/2 Pr 27-2-48

62) An enquiry will be made of the Mysore Consul if this Site is suitable for the erection of a mosque

DF please for 28/2/48

63) Submitted with a draft letter for sgd

HOR 1/3/48 Pr Direct.

64) Issue at once for 2/3/48

20,

The Mysore Commissioner Delhi

No L/4345/5-3-48

3

12-3 48

Calls for further information

MC 5507 Construction of a mosque in New Pensown Mohalla, Srinagar Mysore Road Bangalore

Letter No. MS-988/46-47 dated the 10th January 1949 from the Mysore Commissioner in Mysore on the subject

65) Submitted with reference to para 62 supra

66) The Mysore Commissioner has furnished in the above letter, a brief history of the case and states that the sites are suitable (Nos 124, 125 & 126 as in Block Plan T) and unobjectionable from all points of view for the construction of the mosque provided the pit in the sites is duly filled up by the Municipality as reported by the Deputy Commissioner Bangalore (Dr C Urban)

67) In para 3 of the above letter the Mysore Commissioner has stated that the owner of Site No

Ml
5507

Construction of a mosque in New Pensions Mohalla, Azadnagar, Pipore Road Barrackpore

24 Has given a statement before the Municipal Commissioner, endorsing it for the construction of a mosque the Ml Comm has in his letter dated

Flag 5) 9th December 1947 stated that the owner is agreeable to allow his site for being used for the construction of a mosque and he wants some other site in exchange and that the Municipal Council have accordingly resolved on 28-11-47 to grant a site measuring 80' x 60' which is double the site (No 124) 40' x 60', given by him for the mosque, and sanction of Govt is sought to this proposal, as stated in para 62 of the order ~~and for acquiring site No 124~~

Flag N 9

68) Govt Architect's opinion is in flag N, and he is agreeable to the construction of the mosque, provided the plinth is fitted

for 28-1-49

69) Please put up a draft letter to the Municipal Commissioner, Howrah, calling for further reports intended to clear the above point

3/1/49

ML 5507 / 6497 — Construction of a mosque (Imam Mohalla, Agaduwa Mynne Road Bangaline)

70) Submitted with a draft letter to the Municipal Commr for approval

Ass 9-2-49 Pr 12-49

71) Typed for signature

Issued as ML 8772 dated -2-49 to the Municipal Commissioner, Bangaline Ury

His Ass 5/49

Calls for certain information

Hag N) Letter No A 7 D R 32/47-48 dated the 24th February 1949 from the Municipal Commissioner Bangaline Ury furnishing the information called for

72) The Municipal Commr states that the owner of Lot 111 12 Faneer Mohamed St, who has not endorsed it for the mosque, that a land measuring 80' x 61 has been given to him in

"C" 6497 Construction of a mortgage in the New Pensioner Mohalla Ajad Nagar Mysore Road Bangalore

exchange for two one storeyed 40 x 60 under a registered deed of exchange (registered as No 2088 of Book I Vol 910 Pages 64 to 67) and that the sites exchanged are valued at Rs 1600 each A copy of this exchange deed is enclosed - Flag J

73) The application of Jamal Mohamed Hyder referred to in para 2 of the R/M Commrs letter 4th 2 48 is not enclosed If assumed the same will be called for

A

74) It is not explained why it was found necessary to give Jamal Mohamed Hyder a site twice in the extent of the one surrendered by him

OTOR 5-3-48

B

Rs 7249

75) A may be called for

76) B — Why was this time in extent given to him before Mining to previous sanctions/site?

77) No record to show that Jamal Mohamed Hyder was a mortgagee of the site for the enactment and

Such was the case, was it not
desirable to have enjoined the suit
enjoined if they take it by ~~appeal~~ Revision
so that an indefeasible right might
have been secured for the ryot, especially when the
matter was a boundary dispute in a country
where is the spectre of the area question
except to ground Mr Ramachandra Iyer's
ways sweeten your temper for now? How
about texture of silk pattas etc? for
9/8/49

78) Submitted with a draft
letter to the Municipal Comm
Bangalore City for approval

HOR
10.3 WR
Rec 11.3.49

79) Issue
for
14/3/49

Issued to Municipal Comm
Bangalore City in WL 10327
dated 16-3-49 - Calls for explr

for
5/4/49

80) Letter No A7DR 32/46-4
dated the 28 April 1949 from
the Municipal Commissioner
Bangalore City forwarding

Construction of a mosque in New Pension Mohalla on Royal Nayasa
AW 8054 Mysore Road, Bangalore

The information called for

—

80) Submitted with reference to
para 77 supra

81) Orders are solicited on the Mysore Commissioners proposal in Flag

82) A brief note is necessary in such cases on the facts & the grounds for orders

for
3/5/45

83) Facts of the case are as follows

Flag W) On a representation made by one Janab M A Mekkin on behalf of the Muslim community residing in the New Pension Mohalla, Mysore Road, Bangalore
Flag P) City, permission was granted on 26-7-1944 Flag R
Mysore Com A to construct a mosque viz Survey No 5 of Bangenahalli near New Pension Mohalla When the Muslims began to construct the mosque in December 1946, the Adikarnataka residents
D) and other Hindus of the locality petitioned to Govt that the licence

Construction of a mosque in the New Persian Mohalla Kyemo Road Bline

ML
8054

Granted for the Construction of the mosque may be cancelled as it would create unnecessary trouble in the locality being close to the Colony and as the proposed Construction was opposite to their temple. Thereupon the matter was enquired into by the Govt. through the Municipal Commissioner Bangalore City and it was found that the Muslims had tried to build the mosque without obtaining a proper license from the Municipality, but only on the strength of the Permission given by the Municipal Commissioner although the Municipal Engineer had refused to grant the license on the ground that the site was not suitable for the Construction of a mosque. Finally Govt in Law Secs letter No R 7916/Misc 483-46-1 dated 18-2-47 issued instructions to the Municipal Commissioner's Office to withdraw the permission already granted and also to instruct the local officers to prevent the Construction of the mosque.

Accordingly the Municipal Commissioner issued instructions to the Deputy Commissioner to stop the Construction of mosque in No 5 of Bhuvana Lane.

Hosque
84)
X)

Ml 8054 Construction of a mosque in Agadigan New Extension Market Mysore Rd Bangalore

85) The next stage began when the Bangalore City Municipality took the initiative on Van further representation from the Muslims to grant, free of cost sites Nos 125, 126 and 127 off Agadigan, for the construction of the mosque and passed a resolution to that effect Later it was found that the site No 127 had been built upon and was not available for being given to the authorities of the mosque and that out of the remaining sites, two viz 125 and 126 belonged to Municipality and site No belonged to a private party by name Jamab Mohamed Hyder, who offered to part with his site provided he was given a site in exchange from the sites own Accordingly the Municipality passed a resolution agreeing to the also and gave him a site the 60' x 80 by the side of the 1 Cross Road Agadigan in November 1947 and executed the exchange deeds also [illegible] permission of Govt was applied for by the Municipality in letter No A 7 DR 32/147-48 dated the 9th December 1947

86) The Municipal Commissioner was then consulted in the matter regarding the construction of the three sites

ML
805-4

Construction of a mosque in Agalawatta
New Persian Muhalla Mosque Road Bhm

being granted to the authorities of the mosque and he has forwarded his opinion in his letter dated 10th January 1949 stating that he has consulted the Deputy Commissioner & the local residents and that the three sites are suitable for a mosque provided the last mentioned site is duly filled up by the Municipality

86) As regards the grant of a site known as Sinne to Faneer Mohamed Sayadee Badiul Commissioner has intimated in his Cabinet letter dated 21st 49 that the site taken from him for the mosque is of higher value than the one given in exchange and that they are valued at Rs 1600 each

87) Points for orders

(i) Proposal of the Municipality to grant free of cost, sites Nos 124, 125 & 126 to the authorities of the mosque for building a mosque in Agalawatta and under section 41 (2) of the proposed new Trusts Act 1933

(ii) rectification of the action taken by the Municipality in having given a site measuring 60 x 80' in exchange for site No 121 to Faneer Mohamed Sayadee

88) The above note of the gist of the case is for perusal

89) In the cases reported by the Manager ... (Flag X) the provisions of 105

To

The Hillcommer B(2) The Post

Nuzan Commer

Comptroller —

Dr B Lore (urban)

B
16/8

NoL 1481-4/HC 107-48-54 d 3 8 49

Address the Town Clerk & Ex Officio Secretary

96) Researched after recess as per orders

Chas 16/8/49

97) The file is returned for perusal of the Post of the Inspection by the Minister for C. M & Housing — note orders at para 93 supra

P. A to the Minister for C.M & Housing

TELEPHONE FOR CITY MUNICIPALITIES AND MUZARAI
No 711
Date 18/8/49

17/8/49

98. This morning I inspected the three sites given free of cost for the construction of mosque in as to 11 as the site — measuring 60 x 20 ft, or site No 124 which measures only 60 x 40 ft and the sites given are not suitable for the construction of a mosque. They are far lower than the road level and composed of deep pits so they may be given in some suitable locality. In view of this decision the question of giving a site in exchange does not arise

8054/m

In this connection I want to state that the report of the Ind Commr is not correct. It is dated 21-4-49 & states therein that the land proposed to be given in exchange is in a lower level. But to my surprise, I found that it is on a higher level than the land proposed to be taken from Janab Mohd Hyder. It is site No 124. I therefore do no reason whatever to give him a site of double dimensions.

98) At the time of inspection I was accompanied by the Ind President, Ind Commr, Engineer and H.O They also agreed with the Ind Commr even went to the extent of saying that he would investigate.

P Ghosh
26/11/49

THE MINISTER FOR CITY MUNICIPALITIES AND MUZRAI
No 711
Dt 26-11-49

D. 28/11
CEN REGISTRY

99) Dft letter for 28/11/49

100) Dft letter to the Municipal Caucus Blore alg — is put up for approval
29/11/49
20

102) Issue
30/11/49

The Commissioner,
City of Bangalore Municipal Corporation, Blore
L 5586/49 10/12/49
Issues instructions in the matter of the transfer land

8054/ml

Construction of a Mosque in New Bonnen
Mohalla Aziz Nagar Ryders Road, Blue

Whether these papers may be
B/ recorded or is he orders

Submitted
17/12/09 19/12

As please

19/12/09

B
5/1/10

Note: Not registered

ml 10748-54

BANGALORE CITY MUNICIPALITY

No A6-B1 98/43 MUNICIPAL OFFICES

Encl One file

Bangalore 15th Feb , 1945

FROM K Subba Rao, Esq , B A ,
~~P.V.BURYANARAYANA SETTY, ESQ.,~~
MUNICIPAL COMMISSIONER
BANGALORE CITY

To C Narayanaswamy Naidu, Esq , B A , B L ,
LEGAL REMEMBRANCER & SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE
LAW DEPARTMENT BANGALORE

Re grant of a license for the construction of a mosque on S No 5, Bhogen Halli, Bangalore North Taluk

I have the honour to state, that on the recommendation of the Deputy Commissioner, Bangalore District, the Inzrai Commissioner has granted permission in his Order No R Dis 106/41-42/26-1-1942 to Mr M A Mehkri, Secretary of Mosque Committee, to construct a mosque on a portion of S No 5 of Bhogenahalli village, subject to the condition of leaving a road margin of 75' from the centre of the Mysore-Bangalore Road as suggested by the Executive Engineer, Bangalore Division, Bangalore

Mr Mehkri having since applied to this Office for the grant of a license to construct the mosque the opinion of the Government Architect was called for in the matter He has intimated in his letter No 1729 dated 16-1-1945 that the land in question does not lend itself for the location of an important building like a mosque, where many will congregate for prayers, in as much as it is surrounded on all sides by roads In these circumstances, I request the favour of instructions of the Government as to the grant or otherwise of the license applied for The connected file of papers is herewith forwarded for reference

~~reference~~ and return

I have the honour to be,

Sir,

Your most obedient servant,

/R Scrivener

Municipal Commissioner

AOP

L-8850 7/3/45

To The Ml Commr, Bgly
thro the DOR

Sir,

With reference to your letter NO A6 031 98/43 Dy 15-2 45 in the matter of the Grant of a license for the construction of a mosque on Survey NO 5, Bhogenahalli, Bangalore North Taluk, I am directed to request you to state if any suitable land as suggested by the Govt Architect as would be acceptable to the Muslims is available in the locality. The records accompany Dhareek for reference & retransmission

Yours obedtly
Under Secy to Govt
Land Dept

13

III reminder — Jmuru 2

GENERAL AND REVENUE SECRETARIAT

Bangalore, Dated, 12 7 46

D.O No L 671

Dear Sir,

I am desired to invite reference to this office letter No L 8850 dated 9 8 45 and the subsequent reminders ending with No L 10498 dated 8 4 46 on the subject of granting License for the Conductorship of Mosque in Sri Bhogenahally, Dist Bangalore

2 I am to request you to be so good as to expedite your reply thereto immediately as the matter has been pending for a long time

Yours sincerely,

To

Saf Darashah E Bt
Addl Court
Bangalore

Bangalore City Municipality

BEN GOVT SECRETARIAT
2555
1 OCT 1946
LIBRARY BRANCH

No A6 B L 93/43
Encl

MUNICIPAL OFFICES
Bangalore 27th Sep

FROM

SAFI DARASHAH, ESQ, B A
MUNICIPAL COMMISSIONER,
BANGALORE CITY

TO

J B Mallaradhya, Esq , M A ,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

SIR,

Sub - Construction of a mosque in S No 5 of Bhogenahalli

With reference to your letter No L 8850 dated 7th March 1945 and subsequent reminder thereto on the above subject etc , I have the honour to state that there is no suitable Municipal land anywhere in this locality and the party may be directed to select some suitable revenue land towards the south of the present site

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

hsr/-

10 10 46

The Municipal Comm
Bangalore City

construction of a house in S No
of Bhoganahalli

Sir,

With reference to the correspondence
ending with your letter No Rt. VSL-93/43 dated
27-9-43 on the above subject I am directed to
request that the Commuted Receipt sent to you
with this office letter No 8855 dt 7-3-43 may be
kindly returned early

Yours
for Secretary

Bangalore City Municipality

REVENUE & REV SECRETARIAT
3642
14 NOV 1946
L & G BRANCH

No A6 B L 98/43
Encl Nil

MUNICIPAL OFFICES
Bangalore, 12th Nov 1946

FROM

SAFI DARASHAH, Esq, B A,
MUNICIPAL COMMISSIONER,
BANGALORE CITY

To

J B Mallaradhya, Esq, M A,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

SIR,

Construction of a mosque in S No 5 of Bhogenahalli

As desired in your letter No L 4855 dated 10-10-1946 I have the honour to forward herewith the file of references pertaining to the above subject,

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

hsr/-

Immediate

Encl 1

Dear Sir

am directed to forward herewith a copy of the petition dated 25-11-96 received from certain Adi Karnataka residents of Doddasatya Bangalore city praying to stop the construction of a mosque in the area alleged and requesting that the burning ghats be reserved for the benefit of the Adi Karnataka of the Doddasatya and to request you to kindly visit the spot immediately

present
and state of any constitutional if
Coming to any alleged threat

A report of action taken in the
matter may be submitted to that within
three days

Yours sincerely

Sufi Dawoodah Esq:
BA
Municipal Town
Peshawar

27/11/46

I have passed orders in another letter to call for a report from the Mnd Commr immediately On his receipt

For immediate action

ADC 27/11

To Meanwhile please move up to the Mnd Commr to visit the spot

The Dewan to the Government of His Highness

the Maharaja of Mysore Bangalore

GEN & REV SECRETARIAT 4024 27 NOV 1946 G BRANCH

Deputation by the Adikarnataka residents of Doddapalya Lysore Road, Bangalore City

Subject - Praying to reserve the housing sites in the above palyam to the A K residents of the said palya,

immediately & proceed to the spot and stop up any Construction & Comm up J.H.M 27/11/46

Respected Sir,

We the undersigned most humbly and respectfully beg to bring the following few lines to your kind and sympathetic consideration and pray for favourable orders --

We beg to bring to your kind notice that our ancestors and ourselves were formerly living in the present Cubbonpet Bangalore City When this locality was to be named after Cubbon Sahib the then Judicial Commissioner, we were made to vacate the said place and we were sent to a seperate locality where the Victoria Hospital is now in existence During the time of constructing Victoria Hospital, we were sent to Doddapalya where we are now residing Ever since we were sent to Doddapalya the Municipality is giving us assistance in the matter of Sanitation etc and only the adikarnatakas were living in the locality

Rev Secy 27/11 11.45 a.m

Recently few Mahammadans are purchasing some properties from these poor people of the above locality/and residing exactly opposite to our temple As it is well known to your godself we cannot get properties amongst caste hindus in the City area owing to the sad problem of untouchability in our land We pray that this action of owning properties by the Mahammadans in our locality be kindly be stopped

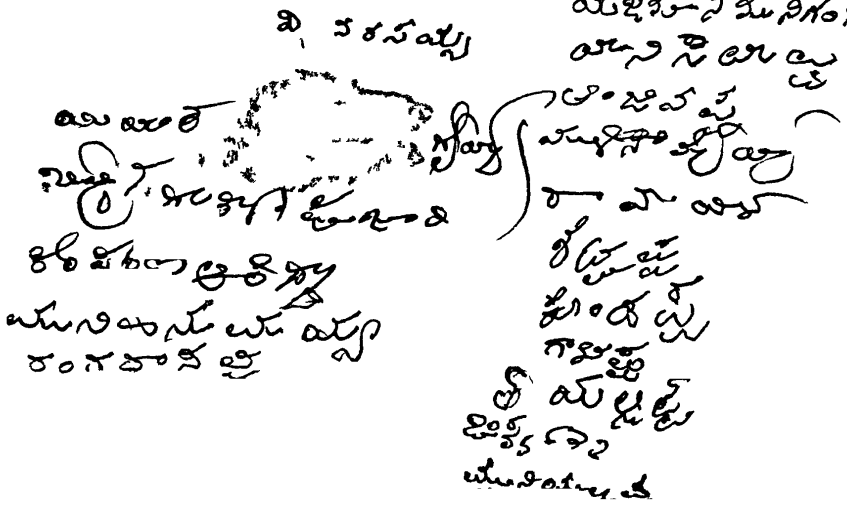
Secondly the Mahammadans are preparing themselves to construct a mosque in our locality though there are three or two families in the above locality and we do not know whet

whether they have obtained a license from the Municipality or not In case if the license is sanctioned we cannot understand under what ground the Municipality permitted them to construct a mosque in the locality while there is a mosque existing in Rajapatalam which is at a distance of hardly 2 furlongs from our locality and to which mosque they were attending to offer their prayers to god We submit that the construction of mosque in our locality where there are only two or three mahammadan families may lead to communal feelings and any day there will be clash between ourselves and the said community

In view of the above circumstances and in the interest of the poor adikarnatakas who are backward in each and every respect and to avoid chash between communities, we most humbly and respectfully pray that your goodself may be pleased to sanction us vacant sites belonging to the locality by the side of Mysore- Bangalore road to us for building dwelling house in those vacant sites We further submit that the construction of the mosque in the midst of our locality may kindly be stopped For which act of kindness and timely help, we shall ever remain grateful and pray for your long life and prosperity

We beg to remain
Respected Sir
Your most obedient servants

Bangalore City
24/11/1946
24 11 1946



BEFORE THE DEWAN OF MYSORE AT B A N G A L O R E

M Y S O R E

Deputation by the Adikarnataka residents of Doddapalya Mysore Road, Bangalore City

Subject - Praying to reserve the housing sites in the above Palyam to the A K residents of the said Palyam

Honoured Sir,

We beg to bring to your honour's notice and pray for redress of our grievances

About 60 years back we were residing in the City rea Our houses were acquired for the construction of Victoria Hospital and we were given the above said plot in exchange for our sites and compensation given for our houses Ever since we came here We are given assistance by the City Municipality for sanitorium etc and only the Adikarnatakas were living in the locality

1) Recently few Mahammadans are purchasing some properties from these poor people of the above locality and residing As it is well known to your goodself we cannot get properties among caste Hindus in the City area owing to the sad problem of untouchability in our land We pray that this action of owning properties by the Mahammadans in our locality may be stopped

2) Secondly the Mahammadans are preparing themselves to construct a Mosque in our locality although there are three or two families in the above locality and thereby create communial class here We are surprised to understand that how the City Municipality have permitted to construct the Mosque in our Hindu locality Therefore

Wherefore we pray your honour to kindly stop the construction of the mosque in our locality and thus save us from the Hindu Muslim clash

3) As we are thickly populated in the growing locality and living in most unsanitary and conjested houses we pray that the vacant site belonging to the locality by the side of Mysore-Bangalore Road be granted to us for building dwelling houses in these vacant sites

We beg to remain
Respected Sir
Your most obedient servants

Bangalore City
25/11/1946

petition from certain Adikarnatakas residents of Doddapalya, Mysore Road Bangalore City bringing to notice that few Mohammedans are purchasing some properties in the locality recently opposite to their temple and attempting to put up mosques and requesting that the housing sites in the above Palyam may be reserved ~~for~~ for the benefit of the Hebbakamattaka residents ——

1) Dewan's orders

For urgent action

Sd/- A R M

2) Memoir Memo

I have passed orders in another petition to call for a report from the Mhs. Asst immediately. In the meanwhile please phone up to the Municipal Comr to visit the spot immediately and report up any construction is carrying on

Sd/- T C M R

27-11-46

3) phone message to the Municipal Commr, Bangalore

c/f has accordingly been sent today at 12.15 pm

4) A draft D.O. letter to the Municipal Commr is

also put up

[signature]

[signature] 27/11/46

27/11

To

The Municipal Commr, Bangalore

TR - 3 d 27-11-46 [illegible]

calls for immediate report

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 8548 *Dated Bangalore,* 9 Dec *194* 6

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Revenue Department

To

The Municipal Commissioner, Bangalore City

Sir,

Subject Construction of a mosque in S No 5 of Bhogenahalli

I am directed to return herewith the file relating to the above subject received with your letter No A6 BL198/43 dated 12th November 1946 It is seen from the records that the Municipal Engineer has, in his endorsement No P 820 dated 30th October 1945, refused the grant of the license on the ground that the site is not suitable for a mosque and that the applicant might select another site for the purpose In view of the above fact, no orders of Government are

I have the honour to be,
Sir,
Your most obedient servant,

~~For~~ Secretary to Government,
Revenue Department

I am to add that effective action should be taken by you to prevent the construction of the building referred to in question, intended for a mosque, without a licence from the City Municipality, in accordance with the provisions of the Municipal Act and the bylaws framed thereunder which are in force in the City.

Urgent

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

~~Urgent~~ No R 7916/muz, 183-46-1 *Dated Bangalore* 18th February 1947

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department

To

The Muzrai Commissioner in Mysore

Sir,

I am directed to invite reference to your order No R Dis 106/41-42 dated 26th January 1942 granting permission to one Mr M A Mekhri to -- construct a mosque in S No 5 of Bhogenahalli village, Bangalore (North) Taluk, subject to certain conditions and to state that it is ascertained that on the application of Mr Mekhri to the Municipality for the grant of a license to construct the mosque, the Municipal Engineer has issued an endorsement to him with No 820/111B dated 30th October 1945, refusing the grant of a license on the ground that the site is not suitable for a mosque Some of the residents of the locality recently represented that the construction of a mosque is going on inspite of the refusal of the Municipality to grant a license and the Revenue Secretary has addressed the Municipal Commissioner, Bangalore City, requesting that effective action should be taken in accordance with the provisions of the City Municipalities Act and the bye-laws framed thereunder, to prevent the construction of the building which is intended for a mosque, without a license from the Municipality In view of these circumstances I am to suggest that you may either withdraw the permission granted by you in 1942 for the construction of a mosque at the place in question or make it clear to the parties that they should not proceed with the construction until they get permission from the Bangalore City Municipality

I am also to add that to prevent similar situations arising in future, you may whenever possible, consult the Municipal Council or other local body concerned, before granting permission to construct new places

of worship and that the permission granted by you should indicate in clear and unequivocal terms that the construction should not be commenced without obtaining license or permission from the Municipal Council or other local body concerned

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government
Law Department

Copy to L S G Branch

Mr fundatta

1) Pl get back the connected file from the L S G Branch

2) Pl send a copy of this letter to the Municipal Commr for information

Pl see file

Mr has been read separately

A 11/46

To 25/2/47

The Municipal Town
Bangalore City

Construction of a Mosque
& Mosque at Bhoganahalli Village
Bangalore

Sir,

In Continuation of This Office
letter No L 8548 dated 9-12-46 on
above subject, I am directed to
forward herewith a copy of this office
letter No A 7916/Mun 183-46-1

Dated 18-2-47 addressed to the Municipal
Engineer from whom I shall obtain certain instructions
in the matter.

The Municipal Engineer's file on the subject
is herewith returned

By
Mulda

I have the
honour to be
Sir
Your obedient servant
25/2/47

2 copies

Immediate

L 12519

E 15/3/47

To

The Municipal Commissioner

Bangalore City

Subj - Construction of mosque in s no 5 in Bhogenahalli Village — Bangalore

Sir,

With reference to the correspondence cited with ~~Date~~ this office letter no L 11746 dated 25-2-47 I am directed to forward herewith (in original) another petition dated 14-2-47 received from certain residents of Doddapalya protesting against the construction of a mosque the said area and to request you to kindly submit a detailed report in regard to the action taken by you to effectively check the attempt at the construction of the building in the area which is intended for a mosque as directed

The Marginally-noted Communication
the enclosure of which should be written to as to the
action taken by them in pursuance of the instructions contained
in this office letter dated 18th ult
L8548 dated 9-12-46

R 2916/Mw 183-46 1 cl 18/47

Revenue Secy to Govt

GOVERNMENT OF HIS HIGHNESS THE MAHARAIA OF MYSORE

IMMEDIATE

No C.12519/E

General and Revenue Secretariat,

Dated Bangalore, 13 March 194 7

FROM

The Secretary to the Government of His Highness
the Maharaja of My ore
Revenue Department

To

The Municipal Commissioner,
Bangalore City

Sir, Subject - Construction of a mosque in Survey No 5 in Bhogenahalli village - Bangalore

---

With reference to the correspondence ending with this office letter No L 11746 dated 25th Februar 1947, I am directed to forward herewith(an original) another petition dated 14th February 1947 received from certain residents of Doddapalya protesting against the construction of a mosque in the said area and to request you to kindly submit a detailed report in regard to the action taken by you to check effectively the attempt at the construction of the buildings in the area, which is intended for a mosque, as directed, in the -

* L 8548- dated 9-12-1946 R 7916/Muz 183-46-1 dated 18/1/1947	marginally noted communications The Muzrai Commissioner may also be written to as to the action taken by him in pursuance of the

instructions conveyed to him in this office letter Nated 18th February 1947 referred to therein

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Government,
Revenue Department

mk2

No A6 C 832/46

CITY MUNICIPAL OFFICES,

Bangalore date 16th April 194 7

FROM

SAFI DARASHAH ESQ B A

Municipal Commissioner

Bangalore City

To

H N Pallegar, Esq , M A , LL B ,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

Sub Construction of a mosque in S No 5 Bogenahalli village, Bangalore

SIR

With reference to your letter No L 12519/C dated 13-3-1947 on the above subject, I have the honour to state that the Municipal Council at their meeting held on 29-3-1947 have resolved that the halla portion in 1st Main Road, Azad Nagar, comprising of site Nos 124, 125, 126 and 127 along with the land behind measuring in all 130' x 130' may be granted free (after filling up the halla by the Municipality) to Dr Mehkri for and on behalf of muslim residents of Azadnagar for constructing a mosque

2 The resolution was passed on the recommendation of the undersigned who visited the spot with the Municipal Engineer in connection with a petition received from the Muslim residents of the locality praying that they may be given a site in their mohalla for the construction of a mosque I may add in this connection that the petitioners had been stopped from building a mosque on a small plot in front of Azadnagar (adjoining the Mysore Road) though they had obtained Muzrai Commissioner's sanction in this behalf, as the Municipal authorities considered the site totally unfit for the purpose (separate orders of Government were issued recently in the matter)

p t o

A copy of the said resolution of the Council is herewith forwarded for favour of obtaining sanction of Government thereto

The sketch showing the sites and the land granted is herewith enclosed for kind reference and return

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

Forwarded with compliments

Honorary President

hsr/-

roceedings of the meeting of the Municipal Council dated 29-3-1947

88 Opinion of the City Improvement Committee dated 14-3-1947 that the halla portion in 1st Main Road, Azad Nagar, comprising of site Nos 124 125, 126 and 127 along with the land behind measuring in all 130' x 130' may be granted free after filling up the halla by the Municipality, to Dr Mehkri for and on behalf of the muslim residents for constructing a mosque

Resolution Approved

Sd/- A J Khaleel,
Honorary President

"Copy"

Municipal Commissioner

hsr/-

6022/2 473

ROUTINE NOTES

[To be used only for notes, requisitions, etc , not intended for permanent record]

petition from certain Muslim residents of new Jaisalmer Mohalla, Bikaner re the construction of a mosque in the locality

A copy of the order if any issued from the Shikarpur Branch in this ~~office~~ behalf will be obtained

Information & Compliance

4/2/47

Submitted with draft for approval & signature

The main file on the subject has been submitted to the Ministers for Rev + Commns (on 7/2/47) for orders and the return will be awaited

14/2 14/2/47

The dft was approved on 8/2/47 & the file sent to the Branch please quote this number & date in all future correspondence

WD 0873—GI B—2 000—20 11 46

14 2 47

DNO 3870/4593/R

Rec'd 6/2

RS 6/2

BRS. 6/2

Pz 6/2/47

REVENUE BRANCH 8 FEB 1947 SECTT

3870 Issued 8/2

N.B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

The draft is under issue
This will be placed in the main
file of the L&S Q Branch and
returned to that Branch together
with a copy of the letter addressed
to the Bengal Commr as desired
by them

18/2 18/2/47

L&S Q Branch

18/2/47

Mr Sundaram
This file is with you
please keep with the pending

issued to the petitioner by the Taluk Amildar, Bangalore North Taluk, authorising the petitioner to construct the mosque on the land granted for the purpose as per plan approved by the Executive Engineer, Building Division, subject to the condition, that a margin of 75 feet from the centre of the road, should be left, Since the Govt have accorded sanction for the same It may be noted that as directed in the order of the Huzrat Commissioner referred to above, a muchalika on behalf of the muslim residents of the locality was executed on 14-6-41 by 4 leading persons of the mohalla, binding themselves that they will have no objection for the playing of the music in front of the mosque and the construction of places of worship of other denominations. This was executed on a stamped muchalika before the Amildar. As ordinary, licence was applied for by furnishing to the municipality, the plan of the proposed mosque in duplicate together with a ground plan giving necessary particulars. The notice for a licence was delivered to the Municipal Commissioner on 25th September 1946 and a receipt on a general stamp of one anna was duly obtained. Since the municipality did not reply to this reference for over two months, the foundation stone was laid by our holy priest Ali Janab Syed Hyder Pran Sahib Khadri at a mass meeting, held on 24th November 1946, in a pandal constructed for the purpose on the site itself. It is only long after the statutory period lapsed, the foundation stone was laid. Since under the statue the petitioners were within their rights to do so. The petitioners understand that certain people of the Hindu community of a different mohalla have been petitioning to the authorities that on account of the existence of a temple near the proposed site of the mosque, the muslim community should be prevented from giving effect to the orders of the Government. The petitioners emphatically assert that there is no Devasthanam, big or small in the neighbourhood of the locality and the allegation made by some members of the Hindu community is absolutely false and malicious which fact has been established by the inspection of the locality, by the Superintendent of Police and other officers

of the Revenue Department

PRAYER

It is prayed that in the light of the above facts the petitions above referred to may kindly be summarily rejected We beg to remain,

Respected Sir,
Your most obedient Servants,

M Yusuf
K Abdul Rahim
A Subhan Ansari
Shaikh Moideen
Abdul Hamid

Copies to

1 Minister of Education & Public Health, Bangalore ✓
2 Inspector General of Police, in Mysore, Bangalore ✓
3 The Deputy Commissioner, Bangalore District, Bangalore ✓

From

The Secretary
The mosque Construction committee
Azad nagar
Bowring Hospital Road
Bangalore city

Dt 22/1/47

To

The Dewan of Mysore,
BANGALORE.

From:

The Muslim Residents,
of the New Pension Mohalla,
Azadnagar, Mysore Road,
Bangalore City.

OFFICE OF THE DEWAN OF MYSORE
Date of receipt 30/11/41
Petn Regr No. 5574

Respected Sir,

The memorialists beg to submit that as the need for a mosque was greatly felt by the muslim residents of the New Pension Mohalla, Butt fire maidan, Bangalore City, the Taluk Amildar of Bangalore North Taluk, as a result of long correspondence, informed us in his No 154 of 38-39 dated 15-5-1940, that the Deputy Commissioner of the Bangalore District has accorded sanction to allot 9 guntas of land out of S No 5, Bhogianhalli village for the construction of a mosque thereon, in his No V-2Dis457 of 39-40 dated 3rd May 1940, communicated to the Amildar by the Sub Division Officer in his No B4-DA40-49-140 dated 4th May 1940 and that the plan of the mosque should be obtained from the Executive Engineer of the Building Division and that the approval of the Muzrai Commissioner should be obtained before constructing the mosque The original documents will be produced when required The Municipal Commissioner of Bangalore City informed us in his No GL5226 dated 30-10-41, that the sanction of the Muzrai Commissioner should be obtained in the first instance before license could be granted by the municipality The Executive Engineer in his letter No 152 dated 1st October 41, was kind enough to favour us with a plan and an estimate for the construction of a mosque, amounting to Rs.16,000/-. His detail estimate and the abstract report are with the petitioner and will be produced whenever required

The Muzrai Commissioner was good enough to accord sanction for the construction of the mosque in question subject to the condition that a margin of 75 feet from the centre of the road should be left, vide order No 106-41-42 Dated 23-1-42 of the Deputy Commissioner. Endorsement No 527-40-41 dated 6th March 1942.

P T O

issued to the petitioner by the Taluk Amildar, Bangalore North Taluk, authorising the petitioner to construct the mosque on the land granted for the purpose as per plan approved by the Executive Engineer, Building Division, subject to the condition, that a margin of 75 feet from the centre of the road, should be left, Since the Govt have accorded Sanction for the Same It may be noted that as directed in the order of the Muzrai Commissioner referred to ~~here~~ above, a muchalika on behalf of the muslim residents of the locality was executed on 14-6-41 by 4 leading persons of the mohalla, binding themselves that they will have no objection for the playing of the music in front of the mosque and the construction of places of worship of other denominations ~~It~~ was executed on a stamped muchalika before the Amildar Accordingly, license was applied for by furnishing to the municipality, the plan of the proposed mosque in duplicate together with a ground plan giving necessary particulars This notice for a license was delivered to the Municipal Commissioner on 25th September 1946 and a receipt on a general stamp of one anna was duly obtained. Since the municipality did not reply to this reference for over two months, the foundation stone was laid by our holy priest Ali Janab Syed Hyder Shah Saheb Khadri at a mass meeting, held on 24th November 1946, in a pendal constructed for the purpose on the site itself. It is only long after the statutory period lapsed, the foundation stone was laid, Since under the statue the petitioner were within their rights to do so. The petitioners understand that certain people of the Hindu community of a different mohalla have been petitioning to the authorities that on account of the existence of a temple near the proposed site of the mosque, the muslim community should be prevented from giving effect to the orders of the Government. The petitioners emphatically assert that there is no Devasthanam, big or small in the neighbourhood of the locality and the allegation made by some members of the Hindu community is absolutely false and malicious which fact has been established by the inspection of the locality, by the Superintendent of Police and other officers

P.T.O.

of the Revenue Department.

P R A Y E R

It is prayed that in the light of the above facts the petitions above referred to may kindly be summarily rejected. We beg to remain,

Respected Sir,
Your most obedient Servants,

K Abdul Rahman
A Subhan Ansari
Shaik Moideen
Abdul Hamid

Copies to

1. Minister of Education & Public Health, Bangalore
2. Inspector General of Police, in Mysore, Bangalore
3. The Deputy Commissioner, Bangalore District, Bangalore

From
The Secretary
The mosque construction committee
Azad Nagar
Bottle Mandem
Bangalore City

Date 22-1-47

To

The Dewan of Mysore,
BANGALORE

From

The Muslim Residents,
of the New Pension Mohalla,
Azadnagar, Mysore Road,
Bengalore City

Respected Sir,

The memorialist beg to submit that as the need for a mosque was greatly felt by the Muslim residents of the New Pension Mohalla, Buttevire maidan, Bangalore City, the Taluk Amildar of Bangalore North Taluk, as a result of long correspondence, informed us in his No 154 of 38-39 dated 15-5-1940, that the Deputy Commissioner of the Bangalore District has accorded sanction to allot 3 gunta of land out of Sy No 5, Bhogianhalli village for the construction of a mosque thereon, in his No V-2Dis45/ of 39-40 dated 3rd May 1940, communicated to the Amildar by the Sub Division Officer in his No B4-DA40-49-140 dated 4th May 1940 and that the plan of the mosque should be obtained from the Executive Engineer of the Building Division and that the approval of the Muzrai Commissioner should be obtained before constructing the mosque The original documents will be produced when required The Municipal Commissioner of Bangalore City informed us in his No G 5226 dated 30-10-41, that the sanction of the Muzrai Commissioner should be obtained in the first instance before license could be granted by the municipality The Executive Engineer in his letter No 152 dated 1st October 41, was kind enough to favour us with a plan and an estimate for the construction of a mosque, amounting to Rs 16,000/- His detail estimate ~~xxxxx~~ and the abstract report are with the petitioner and will be produced whenever required

The Muzrai Commissioner was good enough to accord sanction for the construction of the mosque in question subject to the condition that a margin of 75 feet from the centre of the road should be left, Vide order No 106-41-42 Dated 2/3 26-1-42 to address of the Deputy Commissioner Endorsement No 527-40-41 dated 6th March 1942,

ROUTINE NOTES

[To be used only for notes, requisitions, etc , not intended for permanent record]

Petition dated 24/1/47 from the Secretary, The Mosque Construction Committee Azad Nagar, Butt one Hundred Bangalore city, representing that some Hindus a different mohalla are protesting against the construction of the mosque on S.No 134 of Bhoganahalli and stating that their allegations are false etc

1, The petitioners have represented that they delivered an application to the D.C. Comm for a licence for the construction of a mosque on 25/9/46, that the reply in the matter was not received from the Municipality for over two months and that they arranged for the laying of the foundation stone on the 24th November 1946, and that therefore they are to claim their rights to do so

2) They have further represented that some Hindus of a different mohalla have submitted a petition to the authorities concerned that on account of the existence of a temple near the proposed site of the mosque, the Muslims should not be allowed to construct the mosque

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

WD 0873—GI B– 25 000—20 11 45

387
J 4593 / R v 4731 / R

That there is no Devasthanam in the neighbourhood of that locality and that the allegations are false They request that the petition of the Hindus may be summarily rejected

The petition referred to appears to have been dealt with by the L S O Branch in the linked file and necessary action thereon This petition may therefore be transferred to that Branch Submitted for orders

Flag Z' (Linked file)

5/2/4) Our perusal with reference to the below file will be sent returned to the L S O Br after perusal along with the linked file

Law Secy)

L S O Branch

SJ 2

SL 2/4/2

Submitted for kind perusal

Mys I-46-34

4593/R

OFFICE OF THE M... FOR LAW

3 ρ 1222

To,

The Dewan of Mysore,

Bangalore

From:

The Muslim Residents,
Of the New Pension Mohalla,
Azadnagar, Mysore Road,
Bangalore City

Respected Sir,

The Memorialists beg to submit that as the need for a mosque was greatly felt by the muslim residents of the New Pension Mohalla, Butt Fire Maidan, Bangalore City, the Taluk Amildar of Bangalore North Taluk, as a result of long correspondence, informed us in his No.154 of 38-39 dated 15-5-1940, that the Deputy Commissioner of the Bangalore District has accorded sanction to allot 9 Guntas of land out of S No 5, Bhogianhalli, Village for the construction of a mosque thereon, in his No. V-2 Dis.457 of 39-40 dated the 3rd May 1940, communicated to the Amildar by the Sub Division Officer in his No. B 4-D A 40-49-140 dated the 4th May 1940 and that the plan of the mosque should be obtained from the Executive Engineer of the Building Division and that the approval of the Muzrai Commissioner Should be obtained before constructing the mosque The original documents will be produced when required The Municipal Commissioner of Bangalore City informed us in his No.G L No 5226 dated the 30-10-41, that the sanction of the Muzrai Commissioner should be obtained in the first instance before license could be granted by the Municipality. The Executive Engineer in his letter No 152 dated the 1st October 1941, was kind enough to favour us with a plan and an estimate for the construction of a mosque, amounting to Rs.16,000/-. His detail estimate and the abstract report are with the petitioner and will be produced whenever required.

The Muzrai Commissioner was good enough to accord sanction for the construction of the mosque in question subject to the condition that a margin of 75 feet from the centre of the road should be left, Vide Order No 106-41-42 dated the 23/26-1-1942 to the addressed of the Deputy Commissioner Endorsement No.527-40-41 dated the 6th March 1942 issued to the petitioner by the Taluk Amildar, Bangalore North Taluk, authorising the petitioner to construct the mosque on the land granted for the purpose as per plan approved by the Executive Engineer, Building Division, subject to the condition that a margin of 75 feet from the centre of the road, should be left, since the Government have accorded sanction for the same

It may be noted that as directed in the order of the Muzrai Commissioner referred to above, mutchalika on behalf of the Muslim residents of the locality was executed on 14-6-1941 by 4 leading persons of the mohalla, binding themselves that they will have no objection for the playing of the music in front of the mosque and the construction of places of worship of other denominations. This was executed on a stamped muchalika before the Amildar Accordingly license was applied for by furnishing to the Muhicipality, the plan of the proposed mosque in duplicate together with a ground plan giving necessary particulars. This notice for a license was delivered to the Muhicipal Commissioner on 25th September 1946 and a receipt on a general stamp of one anna was duly obtained Since the Municipality did not reply to the reference for over two months, the foundation stone was laid by our holy priest Ali Janab Syed Hyder Shah Saheb Khadri at a mass meeting held on 24th November 1946, in a pendal constructed for the purpose on the site itself It is only long after the statutory period lapsed, the foundation stone was laid, Since under the statute the petitioners were within their rights to do so The petitioners understand that certain people of the Hindu Community of a different mohalla have been petitioning to the authorities that on account of the existence of a temple near the proposed site of the mosque

the Muslim Community should be prevented from giving effect to the orders of the Government The petitioners emphatically assert tha there is no Devasthanam, big or small in the neighbourhood of the locality and the allegation made by some members of the Hindu Community is absolutely false and malicious which fact has been established by the inspection of the locality, by the Superintendent o Police and other officers of the Revenue Department.

Prayer

It is prayed that in the light of the above facts the petitions above referred to may kindly be summarily rejected.

We beg to remain,
Respected Sir,
Your most obedient servants

A Sukhan Ansan
Shaik Moideen
K Abdul Rahim
Abdul Hamid

Copies to -

1 Minister for Law, Bangalore
2 The President,
Bangalore City Municipality, Bangalore
3 The President,
All Mysore State Muslim League, Bangalore.
4 The Deputy Commissioner Bangalore Dist
5 The Secretary
Mosque Construction Committee
Azad Nagar
Beside Jumma Maidan
Bangalore City
24/1/47

Proceedings of the meeting of the Municipal Council dated 29-3-1947.

88. Opinion of the City Improvement Committee dated 14-3-47 that the halla portion in 1st Main Road, Azad Nagar, comprising of site Nos.124, 125, 126 and 127 along with the land behind measuring in all 130' x 130' may be granted free after filling up the halla by the Municipality, to Dr. Mehkri for and on behalf of the Muslim residents for constructing a mosque.

Resolution. Approved.

Sd/- A.J. Khalael,
Honorary President,

"COPY"

For Secretary to Government,
Revenue Department.

No 16979-81/E1
d. 16/6/47

To

1) The Municipal Commr Mysore
2) The Deputy Commr Bangalore Dist-
3) " Government Archaeologist Mysore

Subj Construction of a Mosque in S no 5 Bojenahalli village - Bangalore Dist

Sir,

I am directed to forward herewith a copy of letter no A6 C 532/46 dated 16-4-47 received from the Municipal Commr Bangalore city on the above subject and to request you to kindly go into every aspect of the question as to whether the proposed sites are suitable for the construction of a Mosque and are unobjectionable from other points of view and favour Govt with your considered opinion in the matter, at your early convenience.

I have the honour to be
Sir
Your most obedient servant
Revenue Secretary

16962
d 16/6/47

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

No L. 16979-81 *Dated Bangalore* 16th June 1947

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore

Revenue Department.

To

Sir,

Sub:- Construction of a Mosque in S No 5, Bogenahalli Village, Bangalore Taluk.

I am directed to forward herewith a copy of letter No A6 C 832/46 dated the 16th April 1947 received from the Municipal Commissioner, Bangalore City on the above subject, and to request you to kindly go into every aspect of the question as to whether the proposed sites are suitable for the construction of a mosque and are unobjectionable from other points of view and furnish Government with your considered opinion in the matter very early

I have the honour to be,
Sir,
Your most obedient servant,

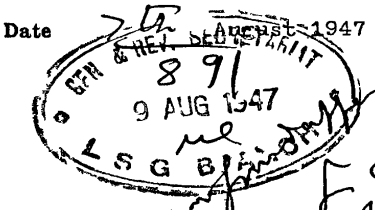
for SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT

DS/5

GOVERNMENT OF MYSORE

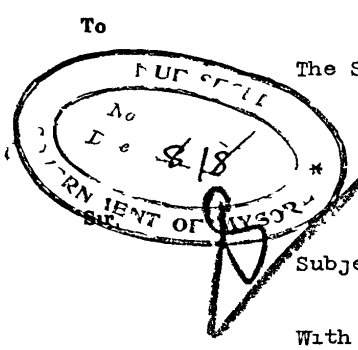
OFFICE OF
the Government Architect
and Town Planning Officer in Mysore
Old Public Offices, Bangalore,

Date 7th August 1947



To

The Secretary to Government,
Revenue Department,
Bangalore



Subject Construction of a Mosque in S No 5, Bogenahalli Village, Bangalore Taluk

With reference to your letter No L 16979-81/31 dated 16th June 1947 on the above subject, I have the honour to state that I have inspected the site and studied the question

The site is suitable provided the Halla in the rear is filled in by the Municipality as promised in their council resolution of 29th March 1947

The construction of the proposed mosque will help to clear up a neglected piece of ground and improve the locality

I have the honour to b
Sir,
Your most obedient servant,

sr/7th

GOVERNMENT ARCHITECT

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 2854-5

General and Revenue Secretariat,

Dated, Bangalore 20/31/194 1/1/

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore

To Revenue Department

SIR

Subj ct: Construction of a bridge in S No 5, Agrahara Village, Bangalore City.

In inviting reference to this office letter No I. Rev- 1679-81 dated 16th June 19 on the above subject, I am directed to request that your considered opinion in the matter already called for, may be kindly furnished to Government very early

I have the honour to be,
Sir,
Your most obedient Servant,

Revenue Secretary to Government.

LC/3

To

Zerox 2854 —
d 20/8/47

1) The Thu Zaran Commissioner
in Mysore

2) " Deputy Commr Bangalore Dist

Surg Construction of a House in
S.No 5 Bovenahalli village —
Bangalore Tq

Sir,

In inviting reference to this office
letter no L 16978/51 dated 16-6-47 on the above
subject I am directed to request that
Your considered opinion in the matter
already called for may be kindly

BANGALORE CITY MUNICIPALITY

No A7 D R 32/47-48

Encl Three

MUNICIPAL OFFICES,
BANGALORE CITY

Dated 9th Dec. 1947

FROM

SAFI DARASHAH, Esq, B A,
MUNICIPAL COMMISSIONER,
BANGALORE CITY

GEN & REV 3225
16 DEC 1947
L S G BRANCH

PUB SEC
To 12/12
GOVERNMENT OF MYSORE

Syed Abdul Aleem, Esq , B A ,
Secretary to the Government of Mysore,
Revenue Department, Bangalore

SIR,

Subject - Grant of land to Mr Mohamad Hyder in Azadnagar in exchange of his site No 124 required for the construction of the Mosque

---

With reference to the above I have the honour to state that the Municipal Council have at their meeting held on 26-7-1947 approved of the opinion of the City Improvement Committee dated 4-7-1947 that site No 124 measuring 40' x 60' belonging to one Mr Mohamad Hyder in Azadnagar be acquired for the purpose of constructing the mosque But in the meantime, before acquisition proceedings could be pursued, the party came forward to offer the site for the purpose intended provided he was given some other land in exchange of the site proposed to be given away to the authorities of the mosque When this question came up before the City Improvement Committee on 19-11-1947, they approved the report of the Municipal Engineer recommending grant of land measuring 80' x 60' by the side of the I Cross Road in Azadnagar (double the area of site No 124) to Mr Mohamad Hyder This opinion of the City Improvement Committee was approved by the Municipal Council at their meeting held on 28-11-1947 A copy of the resolution of the City Improvement Committee and the Municipal Council along with a copy of the report of the Municipal Engineer are herewith forwarded for favour of obtaining sanction of Government in this respect The sites to be exchanged are valued at Rs 1600/- each

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

Forwarded with compliments

Honorary President

Proceedings of the meeting of the City Improvement Committee dated 19-11-1947

Municipal Engineer's report in regard to the grant of land to Mr Mohammad Hyder Saheb in exchange for his site No 124 Azadnagar required for the construction of the mosque.

Resolution - Approved

Sd/- A J Khaleel,
Chairman

"Copy"

Municipal Commissioner

Proceedings of the meeting of the Bangalore City Municipal Council dated 28-11-1947

69. Opinion of the City Improvement Committee dated 19-11-1947 approving the Municipal Engineer's report in regard to the grant of land to Mr Mohmed Hyder Sahib in exchange for his site No.124, Azadnagar, required for the construction of the mosque

---

Resolution - Approved

Sd/- A J Khaleel,
President.

"Copy"

Municipal Commissioner

Copy of report No E4.Gl 1142/47-48 dated 17-10-1947 from the Municipal Engineer, to the Municipal Commissioner Bangalore City

Acquisition of site No 124 of Azad Nagar belonging to Mr Mohamd Hyder Sab

---

The Municipal Council passed a resolution in the meeting held on 4-7-1947 to acquire the above site measuring 40' x 60' from its owner for utilizing the same for the construction of a Mosque The owner of the site Mr Muhamad Hyder on coming to know of the resolution has come forward to offer the site to the Municipality He has requested that a piece of land which measures 100' x 100' by the side of Mysore Road near Azadnagar may be given to him in exchange

The area selected by the party is situated too near the Mysore Road The party may be requested to accept in exchange a site double the area of site No 124 by the side of 1st Cross Road in Azad Nagar The area available is shown in red colour in the accompanying sketch

It is learnt on enquiry in the Revenue Section of the Municipality ~~and~~ that this area is Municipal property and no taxes are being collected from any party The fact may be kindly verified by referring the matter to the Revenue Officer Further action will be taken on receipt of Municipal Commissioner's instructions in the matter

"Copy"

Municipal Commissioner

To — 12263

The Municipal Comr 3/48

Bangalore City

Subj:- Grant of land to Mr Mohamad Hyder in Adjustment in exchange for his Site no 124- required for the construction Mosque

Sir,

With reference to your letter no A7 2) R-32/47-48 dated 9-12-47 on the above subject am directed to request you report why the City Municipal Council should acquire Site no 124 from a private party for the purpose of constructing a mosque and whether there are any special circumstances in favour of the proposal or whether the Municipal Council is proposing to provide the land at the cost of some organization, which will be paying the land (proceeds) to be ~~purchased~~ provided

A clear sketch of the areas in question
may also be forwarded

I have the
honor to be
Sir
Your most
Obt Servt

BANGALORE CITY MUNICIPALITY

No A7 D R 32/47-48

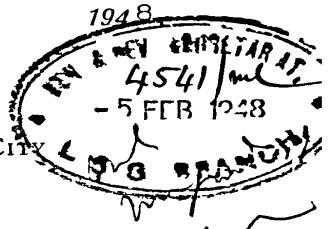
Encl one sketch

MUNICIPAL OFFICES,
BANGALORE CITY

Dated 3rd Feb 1948

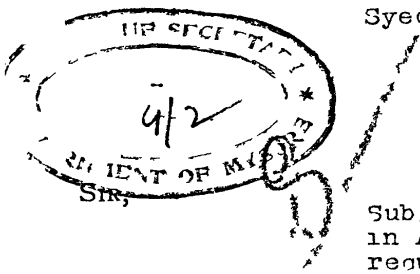
FROM

SAFI DARASHAH, Esq, B A,
MUNICIPAL COMMISSIONER,
BANGALORE CITY



To

Syed Abdul Alcem, Esq, B A,
Secretary to the Government of Mysore,
Revenue Department, Bangalore



Sir,

Subject - Grant of land to Mr Mohamad Hyder in Azad Nagar in exchange for his site No 124 required for the construction of a Mosque

---

With reference to your letter No I 1°263 dated 3-1-1948 on the above subject, I have the honour to state that the Municipal Council resolved on 29-3-1947 to grant free of cost to the Mohamadan residents of Azadnagar, sites Nos 124, 125, 126 and 127 for purpose of constructing a mosque A copy of the above said resolution of the Municipal Council was submitted to Government in this office letter No A6 C 832/46 dated 16-4-1947 for obtaining sanction of Government thereon

2 The site numbers noted above were supplied to this office by the Engineering Section, but on subsequent verification of the records in the Revenue Office it was found that site Nos 124 and 127 were sold to one Mr Abdul Karim and Mr Abdul Subhan respectively the latter being built upon long ago and the former still remaining vacant

3 As it was the intention of the City Improvement Committee and the Council to give only that open space existing between two buildings on site Nos 124 to 127 in the street in question, the latter site should not have been included in the list at all The space intended by the Council to be given free of cost for the purpose therefore comprises site Nos 124, 125 and 126 only Mr Abdul Kareem the owner of site No 124 has mortgaged the same to one Mr Mohamad

Mohamad Hyder Saheb, a merchant in the City and the latter has obtained a decree against Mr Parcem in this connection

4 As site number 125 and 126 alone are not sufficient for the Mosque building, the City Improvement Committee and the Municipal Council on 4-7-1947 and 26-7-1947 respectively resolved to acquire site No 124 for the purpose A copy of the said resolution of th Municipal Council has been submitted to Government in this office letter No A7 D R 32/47-48 dated 9-12-1947 In this connection it may be stated that the mosque in question was originally intended to be constructed on S No 5 of Bhogenahalli village (Azad Nagar) but the Municipal authorities refused to grant the requisite license as the site was considered to be most unsuitable for the purpose though the permission sought was granted by the Muzrai Commissioner in 1942 The whole record was subsequently called for by Government and orders of Government were very recently received requesting the Muzrai Commissioner to withdraw the permission already granted and directing that the Municipal authorities may first be consulted before the grant of permission in all such cases in future

5 In the above circumstances the Municipal Council resolved on 29-3-1947 to permit the Muslims of Azadnagar to construct a mosque on Site Nos 124, 125 and 126 A clear sketch showing the area of the land granted is herewith enclosed for favour of early sanction

I have the honour to be,
Sir,
Your most obedient servant,

Municipal Commissioner

hsr/-

C No
Ref on Pet No } 19 —19
App No

Dis No

Enclosure Dated

Approved on

Copied on

Examined on by

Signed on Despatched on

Entered in—

Current } Register on
Petition }
Appeal } By

Periodical

Reminded on

WD 0639—GPB—75 000—15-6 45

DRAFT

L 4345/Es

to

The Commissioner Bangalore

5/2/48

Docket Abstract

Construction of a magazine New Parson Mallala, Head Agar, Lupine Road, Bangalore

Sir,

I am directed to forward herewith copy of letter no A 79 32/47-48, dated the 3rd February 1948, received from the Munitions Supply, Bangalore regarding Municipality — to erect with a Search Light and to request that the above subject and to request you to ascertain the Board as to give the Letter be now replied to the Custom No 1320

T.S
Plan

R 4190

Submitted

The letter is a reply to a reference issued from the Municipal Branch. This may be transferred to Water Branch for favour of taking necessary action. May be sent thru to Mal branch)

25/11/69

27/11/69

J 4190 15/1
R

No I 5-938/46-47 Office of the Inzrai Commissioner in Mysore,
Bangalore, 10th January 1949

Misc 159-48-1
No. 5507/mg
7/1/49

To

The Secretary to the Government of Mysore,
Law Department

SECT
12 JAN 1949
GOVT OF MYS

Sir,

Construction of a mosque in New Pension Mohalla,
Azad Nagar, Mysore Road, Bangalore

4/3/1
Mr. K 13/1 Rev Dpt

With reference to your letter No L 14345/F dated 5th March and also, with reference to the Revenue Secretary's letter No L 16979-81/F, dated 16th June 1947 on the above subject, I have the honor to state that, on the representation of one Janab M A Mehkri, on behalf of the Muslim Community, residing at the New Pension Mohalla, Butt Fire Field, Mysore Road, Bangalore City, permission was granted to construct a mosque in S No 5, Bhogenahalli, near New Pension Mohalla (Vide this Office Order No R Dis I 5-106/41-42 dated 26th January 1942) When the Muslims began to onstruct the mosque, during December 1946, the Adikarnataka residents and other Hindus of the locality petitioned to the Dewan of Mysore, the District Magistrate, Bangalore, and the Municipal Commissioner, City Municipality, Bangalore, requesting that the license granted for the construction of the mosque may be cancelled, as it would create unnecessary trouble in the locality being situated very near to their Colony, and, as the proposed construct was opposite to their temple The matter was enquired into by Government, through the Municipal Commissioner, Bangalore City Municipality, (vide Revenue Secretary's letter No L 8548 dated 9th December 1946), and it was found that the Muslims had tried to bu: the mosque without obtaining the license from the Bangalore City Municipality, but only on the strength of the permission given by this Office, although the Municipal Engineer, Bangalore City Municipality, had refused to grant the license, on the ground that the site was not suitable for the construction of the mosque Finally, Government, in the Law Secretary's letter No R 7916/Muz 183-46-1 dated 18th February 1947, directed this Office to withdraw the permission already granted, and, to instruct the local officers to prevent the construction of the mosque Accordingly, instructions

were issued to the Deputy Commissioner, to stop the construction

2 The present reference received with your letter dated 5th March 1948, is on the further representation of the Muslims, through the Municipal Commissioner, stating that they have selected a separate plot for the construction of the mosque and praying that it may be granted The plot selected by the Muslims comprises sites Nos 124, 125, 126, and 127, (all Municipal sites) The Municipal Council, at their Meeting held on 28th March 1947, have resolved to permit the Muslims of Azadnagar, to construct the mosque on site Nos 124, 125 and 126 only, as site No 127 has been already disposed of by the Municipality, to a private gentleman As regards site No 124, it may be stated that this site was ~~only~~ also disposed of by the Municipality, to one Janab Abdul Kareem, who is reported to have mortgaged it to one Janab Mahomed Hyder Sab The latter has obtained a decree against the form and has, since, executed a bond before the Municipal Commissioner, Bangalore City Municipality, endowing the site for the construction of the mosque

3 The local officers report that site Nos 124, 125 and 126 are situated in the Muslim locality that site Nos 125 and 126 have been granted by the Municipality , and the owner of site No 124 has given a statement before the Municipal Commissioner, endowing it for the construction of a mosque, that the local residents have no objection to the proposed construction, that the prescribed stamped mutchalika has also been executed by the Managing Committee, and that the sites are suitable and unobjectionable for the proposed construction of the mosque

4 The Deputy Commissioner, after inspection of the spot, agrees with the view of the local officers, and says that the sites are suitable and unobjectionable from all points of view, for the construction of the mosque, provided the pit in the sites is duly filled up by the Municipality

5 In the foregoing circumstances, I agree with the Deputy Commissioner

The connected file of records bearing District Office No Muz 2973/46-47 together with this office file No R Dis I 5-106/41-42 dated 26th January 1942, and copy of the Deputy Commissioner's letter No Muz 2973/46-47 dated 26th November 1948, are enclosed herewith for kind perusal and return

Yours faithfully,

Muzrai Commissioner

11/1/49

8/10/11

To 2 copies

28172
2-2-49

The Municipal Commissioner,
Bangalore City
(Through the President

Subject Construction of a Mosque in the New Pension Mohalla, Azadnagar Hyderabad Road Bangalore

Sir

With reference to your letter No A7DR32/47-48 dated the 3rd Feb 1948 on the above subject I am directed to forward herewith Copies of letters Nos Mis 2973/46-4 dated 26-11-48 and MS-988/46-47 dated 10th January 1949 of the Deputy Comm

Bangalore Dt (Chikkaballapur) and the Vice Commissioner in Mysore requested and to state that it is mentioned therein that the owner of site No 124 has endowed the site for the mosque

Whereas, in your letter No A7 DR 32 dated 9th December 47 and 3rd Feb 1948 it is stated that he wants some other site in exchange and the site recommended is Survey No 32 the details of the site given by you

Whether the owner has really endowed it for the mosque in which case the question of giving a site in exchange does not arise If he wants to be compensated why a site ~~one~~ two thousand square yards in Surpakunte Survey No 32 should be given is not

executed any document

clear Whether he has ~~given~~
in writing to the effect that he is
agreeable to give away his right
to the cottage may also be intimated
as there is nothing in the records
to show that he has already given away
his right to any land in this
Connection Whether the vote purported
to be given to the above-mentioned person
is not to be acquired by the Village
and where exactly that vote is
A sketch showing this vote may
also be forwarded for reference

Yours faithfully

for
Secretary to Govt
Revenue Dept.

may not be acquired for the purpose requested stated

L 8772
Encl-Thr

2-2-49

The Municipal Commissioner,
Bangalore City.
(Through the President)

Subject Construction of a mosque in the New Pension Mohalla, Azad Nagar, Mysore Road, Bangalore.

With reference to your letter No A7 DR.32/47-48 dated the 3rd February 1948 on the above subject, I am directed to forward herewith copies of letter Nos Muz 2973/46-47 dated 26-11-48 and M5.988/46-47 dated 10th January 1949 of the Deputy Commissioner, Bangalore District (Urban) and the Muzrai Commissioner in Mysore, respectively and to state that it is mentioned therein that the owner of site No.124 has endowed the site for the mosque whereas, in your letters No A 7 DR 32/47-48 dated 9th December 1947 and 3rd December 1948 it is stated that he wants some other site in exchange, and the site recommended is stated to be double the size of his own site No 124 I am to enquire whether the owner of site No.124 has really endowed it for the mosque, in which case the question of giving a site in exchange does not arise. If he wants to be compensated, why a site twice in extent of the one proposed to be surrendered should be given is not clear Whether he has executed any document in writing to the effect that he is agreeable to give away his site No. 124 for the mosque may also be intimated as there is nothing in the recor to show that he has so agreed.

2. I am also to enquire in this connection whether the site proposed be given to the above mentioned person is not to be acquired by the municipality and where exactly that site is. In case it is found to be a costly proposition, why his site may not be acquired for the purpose may

be kindly stated.

A very early reply is requested.

Yours faithfully,

For Secretary to Government,
General Department.

6497/mc
1/3

BANGALORE CITY MUNICIPALITY

No A7-DR 32/47-48

MUNICIPAL OFFICES,
BANGALORE CITY
Dated 24th February 1949

Encl

FROM

A S KHALEEL, B A, B L,
MUNICIPAL COMMISSIONER,
BANGALORE CITY

To

Janab MIR SAFDAR HUSSAIN, B A,
Secretary to the Government of Mysore,
General Department,
BANGALORE

SIR,

Subject - CONSTRUCTION OF A MOSQUE IN THE NEW PENSION MOHALLA, AZAD NAGAR, MYSORE ROAD, BANGALORE

With reference to your letter No L 8772 dated 2-2-1949 on the above subject, I have the honour to state that as per records maintained in this office that the owner of Site No 124, Janab Mohamed Hyder has not endowed the site for the Mosque and that site No 124 measuring 40' x 60' has been taken from Janab Mohamed Hyder and land measuring 80' x 60' has been given in exchange under a registered deed of exchange, registered as No 2088 of Book I, Vol 91 Pages 64 to 67 The sites exchanged are valued at Rs 1600/- each

2 The application of Janab Mohamed Hyder, addressed to the Honorary President stating that he is willing to part with his site No 124 in exchange for another one double the measurement is also enclosed for favour of reference along with a copy of the aforesaid registered exchange deed for favour of obtaining sanction of Governme: in the matter

Yours faithfully,

MUNICIPAL COMMISSIONER

Office of the Municipal Advocate
City Municipality
Bangalore City, dated 22nd October 1947

"DRAFT DEED OF EXCHANGE"

Deed of Exchange executed this day of October 1947 by nd between the Bangalore City Municipality represented by its ommissioner for the time being Mr S Darashah, B A , hereinafter alled the party of the first part and Mohamed Ayder, Cloth erchant, Bangalore, hereinafter called the party of the second art which terms shall mean and include his successors is as ollows -

Whereas as per the request of the party of the second part n his letter dated 24-9-47 requesting the grant of land marked "A" n the plan in exchange for the land marked 'B" in the plan, and orefully described in the Schedules "A" and "B" respectively of his deed

Now this deed witnesseth that in exchange for the land roposed to be acquired by the Municipal Council in its resolution o passed in the meeting held or 4-7-47 The party f the first part hereby transfers by way of exchange unto the arty of the second part all its right and title to in or over the property morefully described in schedule "A' hereunder

Whereas the party of the second part will be entitled to enjoy as full and absolute owner of the property described in schedule "A' hereunder and the said property will be put in possession of the party of the second party immediately The party of the first part shall be entitled to be the owner of the property described in schedule "B" hereunder and taken in exchange from the party of the second part in view of the property describe in schedule "

SChedule "A"

The land given in exchange by the party of the first part to the party of the second part The land situated in Azadnagar near Mysore Road, Bangalore City bounded as follows

East Muricipal Land
West - Private Buildings
North - 1st Cross Road
South - conservancy lane

Schedule "B"

The land taken in exchange from the party of the second part is as follows -

Site bearing No 124 in Azadnagar, Banalore City measuring 40 x 60 bounded as follows -

East - Main Road
West - Drain
North - Municipal land
South - Cross Road and Venkatappa's house

In witness whereof the parties have hereunto put their hands this day of October 1947, in Bangalore City

Party of the First Part Party of the Second Part

'COPY'

for MUNICIPAL COMMISSIONER

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 1032

General and Revenue Secretariat,

Dated Bangalore, 16-3- *194* 9

To 2 copies. R&L 1032 16/3/49

The Municipal Commissioner
Bangalore City
(Through the President)

Subject Construction of a Mosque in New Pension Mohalla, Azadnagar Mysore Road Bangalore

Sir,

With reference to your letter No A7 DR 32/47-48 dated the 21st February 1949 on the above subject I am directed to request that the application of Janab Mohamad Hyder referred to in para 2 thereof may be forwarded as the same does not accompany your letter under reference 2 It is stated that a land measure

8 So which town is extent
has been given when exchange
under a registered deed I am to
enquire why the land twice the size
of the site of the early has been
given when consent-previous
sanction of Government being
obtained thereto
3 I am also to point out in this Connect
that the records show that Jamal
Mohamed Hyder was only a
mortgagee of the site and not
the actual owner While and
was the case, was it not
desirable to have taken
the site instead of taking
it by a registered deed to that-

an indefeasible right-
right- have been secured
for the Municipality
especially when the matter
was under dispute in a
Court of Law

4 A sketch of the ~~area~~ Site
with dimensions &c —
is given in exchange to Tamb
Mohamed Hyder may be
forwarded for reference
with information as to
why sanction of Govt-
is sought- for now to
the exchange and under
that-

section of the Supreme
Duty Municipalities
Act 1933
We expect that a writ of mandamus
limited to that
of which
or such definite
required in this case

Yours faithfully

for
12/8/45
for Secretary of State
Home Office
10-3-45 Pay 11-3-45

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 1032 7

General and Revenue Secretariat,

Dated Bangalore, 16-3- *194*

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore
General Department.

To

The Municipal Commissioner,
Bangalore City.
(Through the President)

SIR,

Subject Construction of a mosque in New Pension Mohalla, Azad Nagar, Mysore Road, Bangalore.

With reference to your letter No.A7.DR.32/47-48 dated the 24th February 1949 on the above subject, I am directed to request that the application of Janab Mohamed Hyder referred to in para 2 thereof may be forwarded as the same does not accompany your letter under reference.

It is stated that a land measuring 80' x 60' which is twice in extent has been given to him in exchange under a registered deed. To enquire why the land twice the size of the site of the party ha given to him, without previous sanction of Government being ob thereto.

3. I am also to point out, in this connection that the records show that Janab Mohamed Hyder was only a mortgagee of the site and no actual owner. While such was the case, was it not desirable to acquisition prodeedings for the site instead of taking it by a registered deed, so that an indefeasible right might have been secured for the municipality, especially when the matter was under dispute in a Court of Law.

4. A sketch of the site with dimensions etc., given in exchange to Janab Mohamed Hyder may be forwarded for reference with informations to sanction of Government is sought for now to the exchange and under what section of the Mysore City Municipalities Act 1939.

5. The exact point or points on which sanction of Government is requ

~~trpn~~ in this case may be kindly indicated definitely.

Yours faithfully,

For Secretary to Government,
General Department.

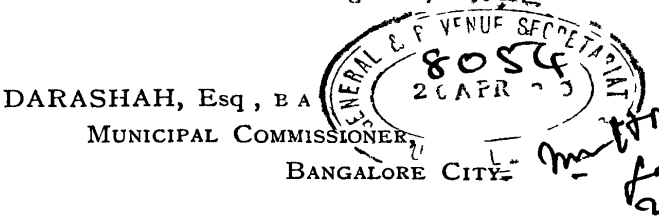
JTOV

No A7.D+R 52/40
one shelter + addl...

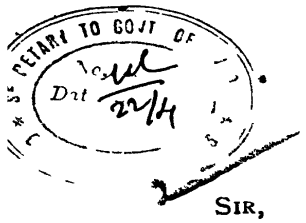
CITY MUNICIPAL OFFICES,
Bangalore, dated 21st April 194 9

FROM

SAFI DARASHAH, Esq, B A
MUNICIPAL COMMISSIONER,
BANGALORE CITY.



To



Janab Mir Saidar Hussain, B A,
Secretary to the Government of Mysore,
General Department, Bangalore

SIR,

Subject - Construction of a mosque in New Pension Mohalla Azad Nagar, Mysore Road, Bangalore

---

Referring to your letter No L 10527 dated 16-5-1949 on the above subject I have the honour to enclose herewith the application of Janab Mohamad Hyder as desired

Site No 124 taken from the party has been valued at a a higher rate (per sq ft) than the Municipal land No 5/1 by the side of the 1st Cross Road because the latter is situated in a low level area Hence double the area of the petitioner's site No 124 had to be given to him in exchange

As per the recommendation of the Municipal Executive Engineer the value of the sites exchanged is fixed at Rs 1600/- each which is within the purview of sanction of the Municipal Council

It may be stated in this connection Janab Mohamad Hyder purchased the site No 124 from Janab K Abdul Azeez under a registered sale deed dated 19-8-47 Janab K Abdul Azeez obtained the site in the auction sale held on 19-6-47 by the competant court of law vide No O S 554 of 39-40 and Execution No 545 of 46-47 on the file of the I Munsiff, Bangalore Hence Janab Mohamad Hyder is the actual owner of the site under reference

Under the circumstances stated above sanction of Government may kindly be obtained to the grant of the land, free of cost, to the authorities of the mosque for the construction of the

P t o

the mosque under Section 41(2) of the City Municipalities Act 1950.

A clear sketch showing the land granted for the construction of the mosque is herewith enclosed for favour of perusal

Yours faithfully,

Municipal Commissioner.

R S App F VI—G 2]

SUBJECT

5 Copies

Section MH

File No 107-H

Serial No 24

Diary No of letter replied to 8054/M&

General and Revenue Secretariat

) }

the *19* }

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 3 5 1949

Signed by — Sd G N Rao

Read—

Correspondence ending with letter no A 7 D R 32/46-7 dated 21-4-49 from the Municipal Council Bidar calling sanction to the grant free of cost of Sites nos 124, 125 and 126 as Agraharam for the construction of a mosque as resolved by the Municipal Council at its meeting held on 29-3-1947 and also to approve the action taken by the Municipality in having given

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

v) placed at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

on the same extension
a site measuring 60 x 80 ft to Javab
Mohamed Styder on exchange for
Site No 124 taken from her for
the above purpose

Order No L 1481-4/HL 104-48-54
3/8/49

On a representation received from
Janab M A Mehkri on behalf of the Muslim Community
in the New pension Mohalla Mysore Road, Bleo cli
permission was granted during January '42 to the
Municipal Council to Construct a mosque on S No 5 3
Bhagenahalli The Muslims started Construction
without a proper Licence from the Municipal authorities,
and the Construction of the Mosque at the place was
also objected to by the A k Residents and others of the
Locality After necessary enquiry, orders were issued to the Mu
-in February 1947 to withdrawing the permission granted to
the Construction of the Mosque above
Bleo cli
The Municipal Council on a further
Representation received from the Muslims Resolved
by a Grant at its meeting held on 29 3 49 to grant, free
of cost Sites Nos 124 125, 126 and 127
in Agadnagar for the Construction of the above

List of Enclosures

Copied by

Examined by

Mosque [illegible] which Site Nos 124 and 127 belonged to Mowalis each personally and the other two of the Municipality. Subsequently it was found that Site No 127 had been encroached upon and the Municipality obtained Site No 124 from Janab Mohamed Hyder in exchange for a Site of larger dimensions measuring 60'x80' in Hyder nagar, Collectorate Valued at Rs 1600/, for the purpose of the said mosque

The Municipal Commissioner Bellary has recommended sanction to the grant of Sites Nos 124, 125 and 126 in Hyderabad, free of Cost to the Muslims for the Construction of a mosque in view of there having been previously denied the permission granted to the Kasaba Municipal Commissioner to Construct the Mosque on C.S. No. 5 Bogenahalli and to approve the exchange of Sites effected with Janab Mohamed Hyder in this Connection the Municipal Commissioner and the Collector Bellary Report that the Sites are suitable for the Construction of a Mosque

Cost Sites & Considering the above facts it is proposed to approve of the grant of Sites Nos 124, 125, and 126 in Hyderabad to the Muslims, free of Cost, for the Construction of a Mosque as recommended by the Municipal Commissioner. The question of exchange of Sites with Janab Mohamed Hyder is proceeded for separate Consideration and orders

To
1) The Mel Commissioner Bellary (Through the proper channel)
2) The Municipal Commissioner Bellary
3) The Executive Officer Town Municipal Council Adoni (with reference to his letter dated 27/7/48)

Secretary to Govt
27/7/48

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

READ

Correspondence ending with letter No.A7 DR 32/48-49 dated 21st April 1949 from the Municipal Commissioner, Bangalore City, requesting sanction to the grant, free of cost, of sites Nos.124, 125 and 126 in Azad Nagar for the construction of a mosque as resolved by the Municipal Council at its meeting held on 29th March 1947 and also to approve of the action taken by the Municipality in having given a site measuring 60' x 80' in the same extension to Janab Mohamed Hyder in exchange for site No.124 taken from him for the above purpose

ORDER NO. L 1481-4 | RU 107-48-54

Dated, Bangalore, the 3-8-49

On a representation received from Janab M.A Mehkri on behalf of the Muslim community in the New Pension Mohalla, Mysore Road, Bangalore City, permission was granted during January 1942 by the Muzrai Commissioner to construct a mosque inS No 5 of Bhogenahalli The Muslims started construction without a proper license from the Municipd authorities and the construction of the Mosque at the place was also objected to by the Adikarnataka residents and others of the locality After necessary enquiry, orders were issued to the Muzrai Commissioner in February 1947 withdrawing the permission granted to the construction of the above Mosque

The Bangalore City Municipal Council on a further representation received from the Muslims resolved at its meeting held on 29th March 1947 to grant, free of cost, sites Nos 124, 125, 126 and 127 in Azadnagar for the construction of the above Mosque, of which site Nos 124 and 127 belonged to private persons and the other two to the Municipality Subsequently it was found that site No 127 had been built upon and the Municipality secured only site No 124 from Janab Mohamed Hyder in exchange for a site of a larger dimension measuring 60' x 80' in Azadnagar, both being valued at Rs 1,600/-, for the purposes of the said mosque

The

Appendix F G—1]

No 4

SUBJECT Construction of a mosque on vacant pucca site Mohalla Azad Nagar Mysore Road, B'lore

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue

Signed by

List of enclosures

Copied by

Examined by

Section

File No

Serial No

No L 5586 Dt 18/12/1949

To

The Municipal Commissioner
Bangalore City
(Through the President)

Sir

With Reference to the Correspondence ended up on the above Telegram No A) 10 12 32/46-47 dated 21 4 49 on the above subject and the Government Order No L 1481-4/ml 107-48 dated 3 8 49 sanctioning the grant of Site Nos 124, 125 and 126 in the Azad Nagar Extension Housing Scheme for the

of exchange of Sites with Jawab Mohamed
Shyder for Separate Consideration and orders
I am directed to State that the Members
who inspected the three Sites found them
unsuited for the Construction of the Mosque
on Grounds of their Level being lower than that
the Road with deep pits on it them
I am therefore to suggest that Construction of the Mosque
they may be given land on Site a more
Suitable Locality in which case the
question of granting the Site in exchange
to Jawab Mohamed Shyder does not arise at all

I am to observe on this Connection
that the Report of the Municipal Commissioners
dated 21 4 43
your Report (that the Land which was
proposed to be given in exchange to Jawab
Mohamed Shyder is on a lower level as drainage the inspectors
far from correct in fact it is found to be on
a higher level than the are proposed
to be taken from here (S No 124) and
there does not therefore seem to be
any reason to give him a Site of
double dimensions on exchange as proposed

Yours faithfully

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 5586

Dated Bangalore, 16/12/1949

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore,
General Department, Bangalore

To

The Commissioner,
City of Bangalore Municipal Corporation,
Bangalore

SUB Construction of a mosque in New Pension Mohalla, Azad Nagar, Mysore Road, Bangalore

Sir,

With reference to the correspondence ending with your letter No A7 D R 32/46-47 dated 21st April 1949 on the above subject and in continuation of G O No L 1481-4/M1 107-48-54 dated 3rd August 1949 sanctioning the grant of sites Nos 124, 125 and 126 in Azad Nagar to the Muslims reserving the question of exchange of sites with Janab Mohamed Hyder for separate consideration and orders, I am directed to state that the Minister who inspected the three sites found them unsuited for the construction of the Mosque in view of their level being lower than that of the road with deep pits in them I am therefore to suggest that they may be given land for the construction of the Mosque in a more suitable locality in which case the question of granting the site in exchange to Janab Mohamed Hyder does not arise at all

I am to observe in this connection that your report dated 21st April 1949 that the land which was proposed to be given in exchange to Janab Mohamed Hyder is in a lower level is far from correct In fact it is found during the inspection to be on a higher level than the one proposed to be taken from him (S No 124) and there does not therefore seem to be any reason to give him a site of double dimensions in exchange as proposed

Yours faithfully,

for General Secretary to Government